UNITITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

STEVE WEINBERG,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	CIVIL ACTION NO. 3:06-CV-2332-B
	§	
NATIONAL FOOTBALL LEAGUE	§	
PLAYERS ASSOCIATION, et al.,	§	
Defendants.	§	

MOTION FOR SUBSTITUTED SERVICE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Steve Weinberg ("Plaintiff"), and files this its Motion for Substituted Service against Tony Agnone ("Defendant"), and in support thereof would respectfully show unto the Court as follows:

I.

Attempts to serve process on Defendant, Tony Agnone, have been unsuccessful, as set out in the affidavit attached hereto and incorporated by reference herein. As set forth in the Due Diligence Affidavit of Special Delivery Servicee, attached hereto as Exhibit "A", service has been attempted on Defendant at his place of business on at least four separate occasions and, it seems Defendant refuses to accept service from his place of work.

II.

Reasonably effective notice of the suit may be given to the Defendant by having any person authorized by Tex. R. Civ. P. 103 leave a true copy of the citation, with a copy of the petition and

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order attached, with anyone 16 years of age or older at the location specified in the attached affidavit, or by such other order of the Court as it deems appropriate under the circumstances.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the Court grants this Motion for Substituted Service, and for such other and further relief that may be awarded at law or in equity.

Respectfully submitted,

FRIEDMAN & FEIGER, LLP

By: /s/ Eugene Y. Barash
Lawrence J. Friedman
State Bar No. 07469300
Eugene Y. Barash
Illinois Bar No. 6280933

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Dallas, Texas 75254
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ATTORNEYS FOR THE PLAINTIFF, STEVE WEINBERG

CERTIFICATE OF CONFERENCE

This is to certify that on June 6, 2007, counsel for Plaintiff left a voice mail with counsel for Defendants requesting a motion for substituted service against Tony Agnone. On the same day, Defendants' counsel stated that they had no position in regards to this motion.

s/ Eugene Y. Barash

CERTIFICATE OF SERVICE

On June 6, 2007, I electronically transmitted the foregoing Motion for Substituted Service using the ECF System for filing a Notice of Electronic Filing to those parties registered for ECF in this case. I further certify that the foregoing document was served on Tony Agnone by mailing a copy of said motion, by first-class mail at his last known address:

Tony Agnone
11350 McCormick Road
Suite 800
Hunt Valley, MD 21031

/s/ Eugene Y. Barash
Eugene Y. Barash